

BOARD OF SELECTMEN – AUGUST 4, 2014

I. Call to Order

Chairman Dan Kowalski called the Regular Meeting of the Board of Selectmen to order at 7:01 P.M. in the Selectmen's conference room in the Town Offices. Present: Chairman Kowalski-Y and Selectmen Paul Salafia-Y, Alex Vispoli-Y, Brian Major-Y, Mary O'Donoghue-Y. Also present: Assistant Town Manager Stephen Bucuzzo. The meeting was duly posted and cablecast live.

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

Chairman Kowalski led the meeting in a Moment of Silence and Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

Assistant Town Manager Steve Bucuzzo invited the Board to attend the School Facilities Tour on Monday, August 11th and Tuesday, August 12th from 8:00 A.M. to 10:40 A.M. The tour provides an opportunity to view the overall condition of the schools.

Paul Salafia said the Economic Development Council (EDC) is diligently working on zoning articles for Town Meeting.

Brian Major reported that the Youth Center Building Committee is meeting on Thursday, August 7th in the Selectmen's conference room at 7:00 A.M.

Alex Vispoli congratulated Mary O'Donoghue for participating in the Pan Mass Challenge this past weekend.

IV. Citizens Petitions and Presentations

Sharon Mason, Director of Development for the Merrimack Valley Habitat for Humanity, presented a challenge to the Board and members of all Town Boards to make a difference and volunteer to join them in building homes to eliminate poverty housing. They are currently converting the St. Patrick's Parish House into ten 1,100 sq. ft. family homes on Parker Street in Lawrence. She invited the Board to participate on any of the following Saturdays: September 27th, October 11th, October 25th or November 1st.

V. Regular Business of the Board

A. Merrimack College

Chairman Kowalski reported on his meeting with representatives from Merrimack College regarding the proposed location of new dorms and a community center. After surveying the area and discussions with the representatives from Merrimack, he is even more concerned now on the impact the project will have.

V. **Regular Business of the Board (Cont.)**

The placement of the new dorms will bring a cultural change to the neighborhood with hundreds of evolving students coming and going. The Merrimack representatives ruled out other available parcels for building the dorms because of their wetland location. Alex Vispoli, who has also surveyed the area, commented on the water problem that occurred when Merrimack expanded the parking lot. He suggested the Selectmen write a letter similar to the one Representative Jim Lyons wrote asking Merrimack to postpone the August 18th hearing with the Planning Board, reconsider building on the proposed site and to schedule a community meeting with neighbors. Alex also pointed out that any Inter-municipal Agreement (IMA) for water/sewer has to be approved by the Water/Sewer Commissioners (the Board of Selectmen). In respect to this particular project, Town Counsel Attorney Thomas Urbelis and Attorney Robert Lavoie (representing Merrimack College) are exploring if an IMA is required under the law.

Selectman Vispoli motioned that the Board of Selectmen draft a letter to the President of Merrimack College that parallels the three points in Representative Lyon's letter. The motion was seconded by Selectman Major and voted 5-0 to approve

Bertrand Ouellette, 30 Fox Hill Road and an abutter to Merrimack College, said he has a number of concerns about the placement of the proposed dorms which would be a dramatic change to the neighborhood resulting in a different venue that doesn't fit. The purpose of the Planning Board is to maintain the integrity of the Town; nothing prevents Merrimack from doing what they want. He said he has no problem with the growth of the college but disputes the location which will change the area forever. He suggested the dorms be built on property next to the Student Center and existing dorms and asked the Selectmen to fight this. John Pasquale, 46B Whittier Street, suggested the letter also be directed to the Augustinians at Villanova and the Board of Trustees.

B. **Memorandum of Understanding – Police Department**

Selectman Vispoli motioned to authorize the Chairman of the Board of Selectmen to sign the Memorandum of Understanding between the Town and the Boston Area Police Emergency Network (BAPERN) for the use of towers and radio shelters at the Police Department and the Wood Hill radio site as requested by Police Chief Patrick Keefe. The motion was seconded by Selectman Major and voted 5-0 to approve.

C. **Loan Approval**

On a motion by Selectman Major and seconded by Selectman Salafia, the Board to voted 5-0 to approve a Massachusetts Water Pollution Abatement loan in the in the amount of \$175,000.

D. **Restaurant Depot Inter-municipal Sewer Agreement – Second Reading**

Selectman Major motioned to approve the amendment to the Inter-municipal Agreement with Tewksbury for sewer service to Restaurant Depot, 160 Dascomb Road,

as presented by Attorney Robert Lavoie on July 21, 2014. The motion was seconded by Selectman Salafia and voted 5-0 to approve.

E. Net Metering Agreement – First Reading

Paul Materazzo, Director of Planning, who previously gave a presentation to the Board at their July 21st meeting on the proposed Net Metering Agreement, introduced Chad Laurent, Senior Consultant and General Counsel to SPG Solar/Hecate Energy, LLC. Mr. Laurent provided answers to questions submitted from the Selectmen and explained the pricing charts, net credits, transmission and distribution costs, and savings that SPG offers over the length of the agreement (20 years). He also provided comparison information on current projects in West Brookfield, Scituate and Acton. To continue, the Selectmen need to approve the agreement to enable them to move forward with financing. Milestones are built into the agreement to protect the Town's investment. The timeline includes: Site – August 31st, Planning Board approval – November 30th, Net Metering Cap – December 31, 2014, Construction – April 2015 and credits start July 31, 2015. The Board of Selectmen will be advised if any of the timelines are not met and the Board has sixty (60) days to give notice of termination or let it pass. The Town's agreement is with SPG only. Hecate Energy controls the property where the project will be sited and is responsible for all permitting, interconnection work and will take a lead role in financing the project. SPG Solar will design, engineer, construct, and provide operations and maintenance support to the solar systems. Chairman Kowalski asked that the links to corporate information on SPG and Hecate be provided to the Board. The net metering agreement is for the Town's municipal power usage only and does not include residential power (i.e. NStar).

F. Tennessee Gas Pipeline Project

The Board continued the discussion on the TGPP and proposed alternative routes explained by Municipal Services Director Chris Cronin. The proposed location of the pipelines from Tennessee Gas is 3.5 miles through Andover's wetlands for a six mile connection. The Town Manager contacted Kinder-Morgan to schedule another community meeting but has not received a response. Maps of the proposed alternate routes will be put on the Town's website. Feedback from the Conservation Commission on the routes is needed by the end of the week as the timeline is aggressive.

John Hess, 145 Chestnut Street, provided a letter to the Selectmen from AVIS listing actions the Town can take towards halting the proposed location of the pipeline. Some of the actions include: sending letters to N.E. Municipal Gas Commission, President Obama, State Legislature, pursuing Article 97 under the Mass Executive Office of Energy and Environmental Affairs to protect, preserve and enhance all open spaces, Kinder-Morgan denying access to survey Town land and protecting species in the proposed areas. He said Gail Ralston is investigating possible Native

American sites and also suggested engaging the School Department since the proposed gas lines are close to the schools.

Selectman O'Donoghue motioned the Board of Selectmen draft a letter denying Kinder-Morgan access to survey any conservation and Town land. The motion was seconded by Selectman Vispoli and unanimously approved.

Selectman Salafia motioned the Board of Selectmen draft a letter to Governor Patrick, the State Legislature, and National Legislative bodies, highlighting the proposed route and the detrimental effects on the Town of Andover. The motion was seconded by Selectman O'Donoghue and unanimously approved.

Selectman O'Donoghue moved that the Board of Selectmen join the N.E. Gas Pipeline Coalition. The motion was seconded by Selectman Salafia and unanimously approved.

Town residents Steve Fink and Amy Janovsky spoke about involving the community in a "Call to Action" utilizing social media, public communications, and contacting our State Legislators and Governor Patrick.

G. Town Yard/Municipal Services Facility

The Board continued their discussion regarding the Town Yard/Municipal Services Facility. The focus is to get the most feasible facility for the least cost. Chris Cronin, Director of Municipal Services, talked about moving the Town Yard away from the downtown area to a location where they would have more space (West Andover – Chandler/Greenwood Road). He said rebuilding what we have on Lewis Street provides some benefits but we would be losing out on opportunities to improve efficiencies. The top two benefits of a new Town Yard were identified as inside storage of vehicles and having a clean work environment. Moving out of the Lewis Street site would spur redevelopment in that area producing tax revenue.

The proposal to build the Town Yard in two phases at the West Andover location would include: Phase I at \$10.2M would include constructing a vehicle maintenance area, wash bay, employee support spaces and site development (for both phases). Phase II for \$21.2 M would include, constructing office support area, workshops, vehicle storage area, and employee facilities. Mr. Cronin said the phased approach is the best alternative that meets the immediate and short-term needs and closure of the Lewis Street location.

The Board asked Mr. Cronin to try to reduce the cost down by reducing square footage a bit more and to determine what Lewis Street is costing annually.

H. North Reading Water Inter-municipal Agreement

Chairman Kowalski updated the Board on his discussion with representatives of North Reading regarding the Water Inter-municipal Agreement. Currently, North Reading does not have a contract with Andover and the terms have yet to be negotiated. They discussed a proposed ten-year agreement with a proposed fee structure, minimum purchase amount, options for exiting the agreement, etc. North Reading is not paying less for water than Andover residents. Dan said he and Buzz talked about additional terms to negotiate in the contract. North Reading has a new interim Town Manager and they are very anxious to sign a contract.

I. Retirement Board Appointment Process

Chairman Kowalski said there are two openings on the Retirement Board and suggested the Selectmen as a whole review the applications and interview the applicants. He suggested they come up with 3-5 questions and provide them to the applicants in advance. Board members should individually email the Assistant Town Manager their questions by the end of this week. Interviews will be conducted on August 18th at 6:00 P.M.

J. Work Session with Lyle Kirtman

Chairman Kowalski asked the Board if they wanted to schedule additional work sessions with Lyle Kirtman. After discussion the Board agreed to schedule additional work sessions.

VI. All Other Business - None

VII. Consent Agenda

A. Appointments and Re-appointments

On a motion by Selectman Vispoli seconded by Selectman O'Donoghue, the Board voted 5-0 that the following appointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE
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<u>YOUTH SERVICES</u>			
Kaitlin Carney	Supervisor – PT	C11A/\$15.00/hr.	7/17/14
<u>MEMORIAL HALL LIBRARY</u>			
Clarence Morse	Page – PT (v. C. Batsimm)	L1-1/\$8.00/hr.	8/19/14
Jason Silvestro	Page – PT (v. C. Hardgrove)	L1-1/\$8.00/hr.	8/20/14

On a motion by Selectman Vispoli seconded by Selectman O'Donoghue, the Board voted 5-0 approval of the following:

BALLARDVALE FIRE STATION BUILDING COMMITTEE – Terms expire 6/30/17

Peter F. Reilly

Jeffrey L. Fuller

Richard J. Bowen

Perry M. Raffi

Stephen W. Bullis

Michael E. Hellmann

Rebecca A. Backman

VIII. Approval of Minutes from Previous Meetings

On a motion by Alex Vispoli and seconded by Mary O'Donoghue, the Board of Selectmen voted 5-0 to approve the Regular Meeting Minutes of July 21, 2014 as presented.

IX. Adjournment

At 10:16 P.M. on a motion by Mary O'Donoghue and seconded by Paul Salafia, the Board unanimously voted to adjourn.

Respectfully submitted,

De DeLorenzo

Recording Secretary

Documents: Memorandum of Understanding – Greater Boston Police Council and Town of Andover
Memo – Short Term borrowing – Mass Water Pollution Abatement Trust
Letter from Johnson & Borenstein, LLC regarding 2014 Amendment to Sewer Agreement / Restaurant Depot
Net Metering Credit Sales Agreement, Statement of Qualifications, Update to Granby Solar Project
Letter to Kinder Morgan Energy Partners from Bob Douglas, Director of Conservation